



ISFW

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Nino Silvestro  
TITLE : **LOCKING DEVICE FOR LATCH  
ASSEMBLY**  
APPLICATION NO. : 10/621,087  
FILED : July 16, 2003  
CONFIRMATION NO. : 9266  
EXAMINER : Kevin P. Kerns  
ART UNIT : 1725  
LAST OFFICE ACTION : October 19, 2004  
ATTORNEY DOCKET NO. : LEEE 2 00310

Cleveland, OH 44114

**RESPONSE TO RESTRICTION REQUIREMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 19, 2004, the Examiner restricted the examination of the present application under 35 U.S.C. § 121 through one of the following species of inventions:

- 1a. Claims 1-11, drawn to a door and latch assembly for an electric arc engine welder, with the door and latch assembly including a door mounted on a welder housing, a latch pivotally/rotatably mounted on the door, and a locking device on the door.

lb. Claims 12-20, drawn to a door and latch assembly for a housing that includes a door mounted on a housing, and a latch and latch trigger pivotally mounted on the door.

lc. Claims 21-27, drawn to a latch assembly that includes a latch, a latch trigger, and a locking device, claimed as an assembly in the absence of a housing and a door.

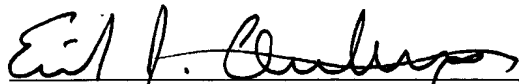
In response thereto, Applicant elects to continue examination of the species of group Ia, i.e., claims 1-11.

Applicant's election is made without traverse. As noted by the Examiner, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to a species in addition to the elected species, provided that all claims to each additional species are written dependent from or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. In any case, Applicant retains the right to continue prosecution of the unelected claims, i.e., claims 12-27, in one or more continuation or divisional applications.

It is respectfully submitted that this application is in condition for substantive examination and such examination is earnestly solicited. However, if upon review of the above information, the Examiner has any questions concerning the same, the Examiner is invited to contact Applicant's attorneys at the number listed below.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
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November 4, 2004  
Date

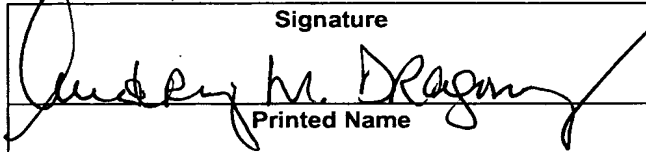


## Certificate of Mailing

Under 37 C.F.R. § 1.8, I certify that this Response to Restriction Requirement is being

- ☒ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<b>Express Mail Label No.:</b>
<b>Date</b> <b>November 4, 2004</b>

<b>Signature</b> 
<b>Printed Name</b> <b>Audrey M. Dragony</b>